



## Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Councilmember  
Donald Rocha

**SUBJECT:** MARIJUANA BALLOT MEASURE      **DATE:** November 3, 2014

Approved

*Don Rocha*

Date 11-3-14

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### ANALYSIS

As the Council deliberated on marijuana collective regulations last spring, I spoke up in favor of attempting to find a middle ground that could have potentially allowed us to avoid a challenge at the ballot. Unfortunately, the Council majority wasn't supportive of the compromise proposal I put forward.

We are now faced with a ballot initiative that proposes a set of unacceptable regulations. I agree that it is more likely to go down to defeat than to pass, but it is not without risk. In my opinion, though the risk of the initiative passing may not be large, I still believe that it wasn't worth taking given how serious the consequences would be if it were adopted. It was a dangerously risky for us not to at least try for a compromise position, which could have been much less extreme and entailed less potential harm to our residents.

It's also worth pointing out that the effort required to defeat the initiative will impose an opportunity cost: the time and effort we spend trying not to go backwards on the marijuana issue may limit our ability to move the City forward in other areas that might require a ballot measure, such as road maintenance and public safety.

Despite the fact that it would hinder our ability to pursue other priorities, Mayor Reed seemed willing and ready to take on the fight. Here are his comments from the June 3<sup>rd</sup>, 2014 council meeting:

I'm not concerned about having to put this to the voters. I will say I think there would be ample opportunities to raise money to run a campaign against any such initiative and I'm prepared to do that. If we have an initiative that tries overturn what the council was done or referendum on it, I would lead the charge against that initiative or that referendum.

As we now know, the initiative proponents skipped right over the November 2014 election, meaning that the initiative will now appear on the ballot in the next election

cycle. Mayor Reed's commitment to "lead the charge" and find "ample opportunities to raise money" would now seem to fall to his successor.

If, however, the Mayor wants to return as a private citizen and honor his commitment to lead the charge—alongside Councilmember Constant, presumably, based on his comments at the last council meeting—I would look forward to the two of them running the campaign. It would free up the next Mayor to focus on solving the more pressing problems that we have not dealt with.